

IN THE SUPREME COURT OF THE STATE OF DELAWARE

|                    |                                |
|--------------------|--------------------------------|
| ROBERT GATTIS,     | §                              |
|                    | §                              |
| Petitioner Below,  | § No. 183, 2011                |
| Appellant,         | §                              |
|                    | § Court Below – Superior Court |
| v.                 | § of the State of Delaware,    |
|                    | § in and for New Castle County |
| STATE OF DELAWARE, | § Cr. I.D. 90004576DI          |
|                    | §                              |
| Respondent Below,  | §                              |
| Appellee.          |                                |

Submitted: November 9, 2011  
Decided: November 10, 2011

Before **STEELE**, Chief Justice, **HOLLAND**, **BERGER**, **JACOBS** and **RIDGELY**, Justices, constituting the Court *en Banc*.

**ORDER**

This 10th day of November 2011, the Court having considered this matter after oral argument and on the briefs filed by the parties has determined that the final judgment of the Superior Court should be affirmed on the basis of and for the reasons assigned by the Superior Court in its decision dated March 22, 2011.

NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Randy J. Holland  
Justice